

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

RAY BROWN FORD, No. CIV S-02-1693-DFL-CMK

Plaintiff,

ORDER

MICHAEL MARTEL,

Defendant.

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, brings this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge under Local Rule 72-302(c)(21).

On September 15, 2005, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within 10 days. Plaintiff has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds that the findings and recommendations are supported by the record and by

1 proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations filed September 15, 2005, are adopted
4 in full;

5 2. Defendant's motion for summary judgment is granted; and,

6 3. The clerk shall enter judgment.

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8 DATED: 9/29/2006

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DAVID F. LEVI
United States District Judge

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